

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a notice of appearance in Form 341A prescribed by the *Federal Courts Rules* and serve it on the appellant's solicitor or, if the appellant is self-represented, on the appellant, WITHIN 10 DAYS after being served with this notice of appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the order appealed from, you must serve and file a notice of cross-appeal in Form 341B prescribed by the *Federal Courts Rules* instead of serving and filing a notice of appearance.

Copies of the *Federal Courts Rules*, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPEAL, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

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APPEAL

THE APPELLANTS APPEAL to the Federal Court of Appeal from the judgement of the Honourable Madame Justice Blackhawk dated July 29, 2024 denying the Applicants' application for judicial review in Federal Court file T-1785-23.

THE APPELLANTS ASK that the appeal be allowed, with costs in this Court and the Court below, that the judgement in the Court below be set aside, and that the Federal Court of Appeal render judgment granting the relief sought in the Applicants' application for judicial review in Federal Court file T-1785-23, or, in the alternative, remit the Applicants' application for judicial review in Federal Court file T-1785-23 to the Federal Court for a determination on the merits.

THE GROUNDS OF APPEAL are as follows:

1. The Applications Judge erred in finding that there is no administrative decision being challenged;
2. The Applications Judge erred in finding that the matter is not properly framed as a judicial review and should be commenced as an action;
3. The Applications Judge erred by setting aside the Applicants' application on the ground that a different originating document should have been used, contrary to Rule 57 of the *Federal Court Rules*; and
4. The Applications Judge erred in finding that the remedies of declaratory relief and of *mandamus* were not available.

Dated the 5th day of September, 2024.


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